

Attorney Docket No. AGZP:115US
U.S. Patent Application No. 10/709,189
Reply to Office Action of September 6, 2005
Date: January 6, 2006

Amendments to the Drawings

The attached sheet of drawings includes changes to Figs. 3 and 5. These sheets, which include Figs. 3-6, replace the original sheets including Figs. 3-6. In Figures 3 and 5, previously omitted element folding zone 20 has been identified.

Attachment: Annotated Sheets Showing Changes

Remarks

Priority Document

The Examiner acknowledged Applicant's claim for foreign priority based on European application EP 03425313.8. The Examiner states that Applicant has not filed a certified copy of the priority document as required by 35 U.S.C. § 119(b). Applicant respectfully traverses this statement and has attached in Appendix I proof of receipt by the USPTO of the priority document on July 19, 2004. Appendix I includes:

1. copy of the acknowledgement post card stamped as received by the Patent & Trademark Office on July 19, 2004 with the post card listing a certified copy of European Priority Patent Application No. EP 03425313.8 as one of the items transmitted;
2. copy of the above acknowledgment post card as originally filed;
3. copy of Request for Correction to Filing Receipt requesting correction of the priority document number as shown on the original filing receipt;
4. copy of the filing receipt received by the USPTO showing the correction to be made;
5. copy of the cover page of the priority document.

Applicant respectfully submits that the items included in Appendix I constitute proof that the USPTO has received and acknowledged receipt of the priority document as required under 35 U.S.C. § 119(b). Applicant respectfully requests removal of the requirement to submit the previously submitted priority document.

Objection to Claim 5

The Examiner objected to Claim 5 as depending from claim 4 rather Claim 1. Applicant respectfully submits that claim 5 properly depends from Claim 4 and respectfully traverses this objection and requests withdrawal of the objection.

Applicant respectfully notes that Claim 5 includes the limitation “said at least one support for each of said pair of folding rollers further comprises a relative bearing arranged to contact said folding roller at said operatively connected ends.” Claim 4 also includes the claim element “operatively connected ends” which is not included in Claim 1. Claim 4 claims the embodiment in which both the first and second counter rotating rollers include at least a first and second cylindrical body coaxial to each other and “operatively connected” along the cylindrical axes to those cylindrical bodies. Claim 5 depends directly from Claim 4 and indirectly from Claim 1 and claims the embodiment in which the at least one support first claimed in Claim 1 has a bearing and contacts the folding roller at the operatively connected ends. This embodiment is shown in Figure 5 showing folding roller 1 comprising first cylindrical body 1’ and second cylindrical body 1”. This is also described in paragraph 0030 of the specification. Applicant respectfully points out that in Figure 5 support 10 is shown contacting folding roller 1 at the operative connection between first cylindrical body 1’ and second cylindrical body 1”. Because Claim 5 contains the element “operatively connected ends” as claimed in Claim 4, Applicant respectfully requests reconsideration and removal of the informal objection to Claim 5.

Amendment to the Specification

Applicant has amended paragraph 0027 of the specification to add a description of folding zone 20. Folding zone 20 includes the area of the folding roller that holds the folding elements. This amendment is made to particularly describe that portion of the folding roller that holds the folding elements. Because this part of the structure was first disclosed in the drawings as originally filed, particularly as seen in Figures 3 and 5, this amendment adds no new matter.

Amendment to the Drawings

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Applicant has attached as Appendix II a proposed amendment to the drawings in the form of annotated sheets showing changes. Specifically, Figures 3 and 5 have been amended to add reference number 20 which denotes the folding zone claimed in amended claim 1. Applicant respectfully submits that this is not new matter but merely defines a structure of the claimed invention that was present at the time in the drawings at the time the application was originally filed. Applicant respectfully requests entrance of the amended drawings.

Allowable Subject Matter

The Examiner stated that Claim 3 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph set forth in the Office Action and to include all of the limitations of the base claim (Claim 1). Applicant respectfully notes that in the Reply filed July 1, 2005, the Examiner's rejection of Claim 3 under § 112, second paragraph were addressed. As no further rejections of Claim 3 were put forth in the current Office Action, Applicant assumes that rejection was satisfactorily addressed. Applicant has added new independent Claim 7 to the claims which incorporates the limitations of base Claim 1 and Claim 3. Applicant respectfully requests allowance of new Claim 7.

The § 102 (b) Rejections of Claims 1-5

The Examiner rejected Claims 1-5 under 35 U.S.C. § 102 (b) as anticipated by U.S. Patent No. 5,147,273 to Rottman ("Rottman" or "the Rottman patent"). Applicant has amended Claims 1 and 4 and respectfully traverses the rejections of Claims 1-5 and requests reconsideration.

"Every element of the claimed invention must be literally present arranged as in the claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236 (Fed. Cir. 1989). (Emphasis added.) Applicant has amended independent Claim 1 to more particularly claim the arrangement and configuration of the claimed invention. Specifically, Applicant claims the invention in which the folding means are provided on a folding zone that is part of the overall length of each of the counter rotating folding rollers such that the stack of folded or interfolded

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sheets falls and is folded within the folding zone. As seen in amended Figures 3 and 5, the folding zone (reference no. 20) is the area between the folding elements 3 on opposite ends of folding roller 1. In addition as claimed in amended Claim 1, the invention comprises at least one support positioned within the folding zone. Applicant respectfully asserts that the Rottman patent only discloses a folding roller in which the supports are outside the folding zone which holds the folding elements. This is seen in figure 3 of Rottman in which roller 9 (8) is supported by frame 15. This is further described in the specification of the Rottman patent in col. 3, lines 16-17 stating, "All of the rollers are supported in a machine frame 15 (FIG. 3)." (Emphasis added.) Consequently it can be seen that Rottman fails to disclose the invention as arranged in amended Claim 1 as it fails to disclose an arrangement in which the supports for the counter rotating rollers are within the folding zone. Applicant respectfully requests reconsideration and allowance of amended Claim 1.

Claims 2-5 depend from Claim 1 and thus incorporate all the limitations of that claim. Because, as discussed above, the Rottman patent fails to anticipate all the elements of Claim 1, it also fails to anticipate Claims 2-5. Applicant respectfully requests the removal of the rejections of Claims 2-5 and passage to allowance of those claims.

In addition, Applicant specifically traverses the rejection of amended dependent Claim 4 as anticipated by Rottman. Claim 4 claims the embodiment in which the counter rotating rollers each include more than one cylindrical body. As claimed, the cylindrical bodies of each roller are aligned coaxially and connected to each other so as to rotate integrally. Rottman fails to disclose this embodiment as the Rottman patent only discloses a rotating folding roller with one cylindrical body. Consequently, the Rottman patent fails to anticipate Claim 4 as it fails to disclose each element of that claim. Applicant respectfully requests reconsideration and allowance of that claim.

Claim 5 depends from Claim 4 and thus incorporates all the limitations of that claim. Because, as discussed above, the Rottman patent fails to anticipate all the elements of Claim 4, it also fails to anticipate Claims 5. Applicant respectfully requests the removal of the rejections of Claim 5 and allowance of that claim.

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Conclusion

Applicant respectfully submits that the present application is now in condition for allowance, which action is courteously requested. The Examiner is invited and encouraged to contact the undersigned attorney of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully yours,



C. Richard Lohrman
Registration No. 46,878
ATTORNEY FOR APPLICANT
Simpson & Simpson PLLC
5555 Main Street
Williamsville, NY 14221
Phone: (716) 626-1564
Fax: (716) 626-0366

Dated: January 6, 2006

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U.S. Patent Application No. 10/709,189
Reply to Office Action of September 6, 2005
Date: January 6, 2006

Appendix I

COPY

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Alessandro DE MATTEIS
U.S. Patent Application No. 10/709,189
Filed: April 20, 2004
For: FOLDING ROLLER AND FOLDING METHOD FOR PAPER CONVERTING
MACHINES

Transmitted herewith is:

- (1) Request for Correction to Filing Receipt
- (1) Certificate of Mailing by First Class Mail
- (1) Copy of Official Filing Receipt with marked correction
- (1) Certified Copy of European Priority Patent Application No. EP 03425313.8
- (1) Postcard for Acknowledgment

Attorney Docket No: 088.AGZP:115US

Customer No: 24041

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. Patent Application No. 10/709,189
Filed: April 20, 2004
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COPY

U.S. Patent Application
Attorney Docket No. AGZP:115US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Alessandro DE MATTEIS

Application No.: 10/709,189

Filed: April 20, 2004

For: FOLDING ROLLER AND FOLDING METHOD
FOR PAPER CONVERTING MACHINES

GAU: 3721

Office of Initial Patent Examination's
Filing Receipt Corrections
Commissioner for Patents
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Alexandria, VA 22313-1450

Certificate of Mailing by First Class Mail
I certify that this Request For Correction to Filing Receipt
is being deposited on July 16, 2004 with the U.S. Postal
Service as first class mail under 37 C.F.R. §1.8 and is
addressed to the Commissioner for Patents, PO Box
1450, Alexandria, VA 22313-1450

C. Paul Maliszewski
C. Paul Maliszewski, P.E.

REQUEST FOR CORRECTION TO FILING RECEIPT

Honorable Sir:

On April 20, 2004 the above-identified patent application was electronically filed as shown by the enclosed copy of the Filing Receipt.

The Foreign Application number incorrectly reads as: EP 03425343.8. As evidenced by the enclosed certified copy of European Patent Application No. 03425313.8, the Foreign Application number should read: EP 03425313.8.

We respectfully request a correction to the Foreign Application number to read: EP 03425313.8.

Respectfully submitted,

C. Paul Maliszewski

C. Paul Maliszewski, P.E.
Registration No. 51,990
Simpson & Simpson, PLLC
5555 Main Street
Williamsville, NY 14221-5406

Dated: July 16, 2004
SCG/CPM/KRB
Enclosure

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

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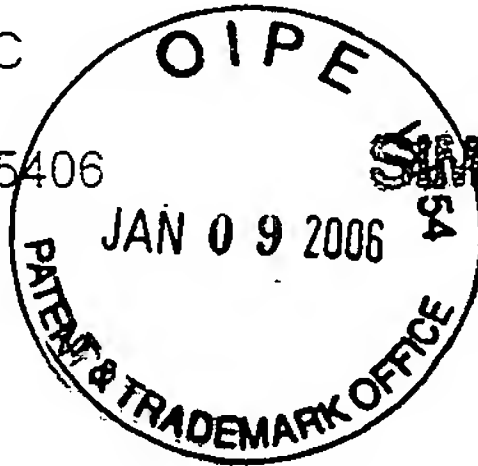
APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/709,189	04/20/2004	3721	385	AGZP115US	4	6	2

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CONFIRMATION NO. 3188

24041

SIMPSON & SIMPSON, PLLC
 5555 MAIN STREET
 WILLIAMSVILLE, NY 14221-5406



JUN 28 2004

SIMPSON & SIMPSON

FILING RECEIPT



OC000000013061462

Date Mailed: 06/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Alessandro DE MATTEIS, Lucca, ITALY;

Assignment For Published Patent Application

MTC - Macchine Trasformazione Carta S.r.l., Lucca, ITALY;

Domestic Priority data as claimed by applicant

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) EP 03425343.8 05/15/2003

EP03425313.8

If Required, Foreign Filing License Granted: 06/24/2004

Projected Publication Date: 11/18/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

FOLDING ROLLER AND FOLDING METHOD FOR PAPER CONVERTING MACHINES

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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NOT GRANTED

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COPY



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Attestation

Die angehefteten Unterlagen stimmen mit der ursprünglich eingereichten Fassung der auf dem nächsten Blatt bezeichneten europäischen Patentanmeldung überein.

The attached documents are exact copies of the European patent application described on the following page, as originally filed.

Les documents fixés à cette attestation sont conformes à la version initialement déposée de la demande de brevet européen spécifiée à la page suivante.

Patentanmeldung Nr. Patent application No. Demande de brevet n°

03425313.8

Der Präsident des Europäischen Patentamts;
Im Auftrag

For the President of the European Patent Office

Le Président de l'Office européen des brevets
p.o.

R C van Dijk

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Appendix II